

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Arne Henry Mahlberg,

File No. 24-cv-4664 (ECT/LIB)

Petitioner,

v.

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

State of Minnesota,

Respondent.

Magistrate Judge Leo I. Brisbois issued a Report and Recommendation on January 21, 2025. ECF No. 8. No party has objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based on all the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 8] is **ACCEPTED**;
2. Petitioner Arne Henry Mahlberg's petition for habeas corpus [ECF No. 1] is **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction;
3. Petitioner Mahlberg's Application to Proceed *in forma pauperis* [ECF No. 2] is **DENIED** as moot; and
4. No certificate of appealability is issued.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 19, 2025

s/ Eric C. Tostrud

Eric C. Tostrud
United States District Court